

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:09CR359 HEA
	)	
JOEL HERNANDEZ,	)	
	)	
Defendant.	)	

**ORDER**

This matter is before the Court on Defendant's Motion to Continue Trial Setting which the Court construes as a Motion to Continue Sentencing [Doc. #46]. Defendant has previously filed a Waiver of Speedy Trial [Doc. #34-1].

This Court, upon careful consideration of the motion of defendant, and on review of the record, finds that the ends of justice would best be served by continuing the sentencing hearing as to Defendant Joel Hernandez to April 12, 2010, and that a continuance of these proceedings outweighs the best interest of the public and the defendant in a speedy trial. Furthermore, failure to grant a continuance would deny counsel for the Defendant and the Government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

Defendant has filed with this Court a signed Waiver of Speedy Trial under the Speedy Trial Act, 18 U.S.C. §3161, [Doc. #34-1].

Concluding that the administration of justice will best be served by continuing this case, the Court will reset the sentencing hearing in this proceeding.

Accordingly,

**IT IS HEREBY ORDERED** that the sentencing hearing previously set in this matter for

Tuesday, February 23, 2010, is reset to Monday, April 12, 2010, at 11:45 a.m. in the courtroom of the undersigned.

Dated this 23rd day of February, 2010.

A handwritten signature in cursive script, reading "Henry Edward Autrey", written in dark ink. The signature is positioned above a horizontal line.

HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE